



Legislation Text

File #: RES PH 16-83, **Version:** 1

Approving the petition of Oxygen Services Company Inc. to vacate that part of Hewitt Avenue adjacent to its property at 1111 Pierce Butler Route.

BE IT RESOLVED, in accordance with Chapter 130 of the Saint Paul Legislative Code, that upon the petition of Oxygen Services Company Inc. ("Petitioner"), as documented in Office of Financial Services Vacation File Number 16-2014, the public property described as:

That part of Hewitt Avenue in Tract B of Registered Land Survey No. 526, Ramsey County, Minnesota, lying northerly of a line described as commencing at the southeast corner of Tract E, Registered Land Survey No. 98, Ramsey County, Minnesota; thence South 89 degrees 18 minutes 15 seconds West along the south line of said Tract E a distance of 392.68 feet; thence westerly 160.70 feet along a tangential curve concave to the north having a radius of 966.96 feet and a central angle of 9 degrees 31 minutes 19 seconds to the east line of said Tract B, Registered Land Survey No. 526, and the point of beginning of the line to be described; thence North 81 degrees 23 minutes 52 seconds West, a distance of 103.22 feet to the intersection of the north line of said Hewitt Avenue and said south line of Tract B and said line being described there terminating.

is hereby vacated and discontinued as public property and, subject to the following conditions, all utility easements within said public property are hereby released in accordance with Section 130.05(3):

1. The Petitioner, its successors and assigns shall pay \$1,200.00 to the City of Saint Paul as an administrative fee for this vacation which is due and payable within 60 days of the effective date of this resolution.
2. The Petitioner, its successors and assigns shall, within 60 days of the effective date of this resolution, file with the Office of Financial Services/Real Estate Section, an acceptance in writing of the conditions of this resolution and shall, within the period specified in the terms and conditions of this resolution, comply in all respects with these terms and conditions.
3. The Petitioner, its successors and assigns agree to indemnify, defend and save harmless the City of Saint Paul, its officers and employees from all suits, actions or claims of any character brought as a result of injuries or damages received or sustained by any person, persons or property on account of this vacation, or the Petitioner's use of this property, including but not limited to, a claim brought because of any act of omission, neglect, or misconduct of said Petitioner or because of any claims or liability arising from any violation of any law or regulation made in accordance with the law, whether by the Petitioner or any of its agents or employees.